REMARKS

Status of Claims

In response to the Restriction Requirement in this case, applicant previously elected without traverse Group I, claim 1-17, 26, 27, and 37.

Claims 18-25 and 28-36 stand withdrawn from consideration.

Claims 8-11 were cancelled previously without prejudice.

Claim Amendments

The claims amendments and arguments as presented in the response filed September 17, 2010 are incorporated herein by reference.

The claims are presented herein as indicating that the amendment submitted on September 17, 2010 have been entered, and with further amendments as follows. Claims 3-7 are amended to recite the particular fragments disclosed in the specification at page 3, lines 26-31. Claims 26 and 27 are amended for clarity; no change in the scope of claims 26 and 27 is intended by this amendment. All of these amendments are made at the suggestion of the Examiner, in accordance with the draft Examiner's amendment forwarded to the undersigned representative on December 8, 2010. The many courtesies extended by the Examiner in this case are noted with appreciation.

If claims 1-7, 12-17, 26, 27 and 37 are deemed allowable, then the Examiner is authorized to withdraw claims 18-25 and 28-36.

IDS

An Information Disclosure Statement is submitted herewith, listing the documents that were cited on the International Search Report that previously was transmitted to the USPTO. Copies of all the references cited in the IDS are provided herein, except for the Chapman reference which was already cited by the Examiner in this case.

Also cited in the IDS is Alfthan et al., Gene, 128 (1993) 203-209, which has been cited in the corresponding EP application. With respect to the disclosure of this reference, applicant points out that the construction of the OX IgG3 truncated Fab fragment is described in the legend to Figure 1 on page 204, right hand column. The last sentence of this figure legend reads "The OX IgG3ΔC_H was constructed by deleting an

internal *Bam*HI-*Bcl*I fragment from the IgG3 chain constant domain coding region, resulting in a deletion of 72aa (aa 134-206) of the Fd chain."

The sequence for the Mouse IgG-3 heavy chain constant region is available at WELS et al., GenBank Acc. No. X00915, Mouse gene IgG-3 heavy chain constant region, published November 14, 2006 at http://www.ncbi.nlm.nih.gov/nuccore/51816, which is cited on the IDS submitted herewith. Also enclosed herewith as Exhibit A is a copy of the sequence of the murine IgG3 CH1 domain in which the *Bam*HI and *Bcl*I restriction sites are indicated. Digestion at the *Bam*HI restriction site would result in the following C-terminus of the CH1 domain:

Pro Gly **Cys** Ser Asp Thr Ser Gly Ser

where the underlined "Ser" is the final residue. Accordingly, the truncated Fab fragment described in D5 **does not** terminate at the interchain cysteine shown in bold, and actually terminates six amino acids *after* the interchain cysteine. This is further illustrated in Figure 3 on page 205 right hand column of Alfthan et al. which shows a schematic of OX IgG3ΔC_H in which the interchain cysteine (128) is not at the C-terminus of the heavy chain of this Fab fragment. The disclosure of the Alfthan et al. reference is therefore distinguishable from the presently claimed invention.

Also submitted with the IDS is a copy of the page http://en.wikipedia.org/wiki/File :Engineered _monoclonal_antibodies.svg, cited in the prior response but not submitted at that time.

CONCLUSION

It is respectfully submitted that the rejections have been overcome, and a Notice of Allowance with respect to claims 1-7, 12-17, 26, 27, and 37 is requested. If the Examiner believes that a telephone conference would facilitate examination of the application, the Examiner is invited to call the undersigned applicants' representative at the telephone number indicated below.

Respectfully submitted,

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